

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Previously Presented) A record carrier of a writable type for recording information by writing marks in a track via a beam of radiation entering through an entrance face of the record carrier, the record carrier comprising:

at least a first recording layer having a first recording stack of a first type and a second recording layer having a second recording stack of a second type, the first recording layer being present at a position closer to the entrance face than the second recording layer and the first and second recording stack having different writing parameters;

at least one transparent spacer layer between the recording layers; and

each recording layer comprising a pre-formed recording control pattern that is readable via said beam for indicating the track, and at least one recording control pattern comprising a recording stack type indicator for indicating the writing parameters of the

second recording stack.

2. (Previously Presented) The record carrier as claimed in claim 1, wherein the at least one recording control pattern of the first recording layer comprises a recording stack type indicator for indicating the writing parameters of the first recording stack, and the at least one recording control pattern of the second recording layer comprises the recording stack type indicator for indicating the writing parameters of the second recording stack.

3. (Previously Presented) The record carrier as claimed in claim 1, wherein the at least one recording control pattern of the first recording layer comprises a recording stack type indicator for indicating the writing parameters of the second recording stack.

4. (Previously Presented) The record carrier as claimed in claim 1, wherein the recording control pattern comprises a recording stack type indicator that is an indicator of a polarity of a push-pull signal to be used for scanning the track.

5. (Previously Presented) The record carrier as claimed in claim 1, wherein the pre-formed recording control pattern is constituted by a pregroove indicating the position of the track, the pregroove exhibiting a wobble constituted by displacements of the pregroove in a direction transverse to the longitudinal direction of the track, and the wobble exhibiting a modulation representing the recording stack type indicator.

6. (Previously Presented) A device for recording a record carrier by writing marks in a track via a beam of radiation, the record carrier comprising:

at least a first recording layer having a first recording stack of a first type and a second recording layer having a second recording stack of a second type, the first recording layer being present at a position closer to the entrance face than the second recording layer and the first and second recording stack having different writing parameters;

at least one transparent spacer layer between the recording layers; and

each recording layer comprising a pre-formed recording control pattern that is readable via said beam for indicating the track,

and at least one recording control pattern comprising a recording stack type indicator for indicating the writing parameters of the second recording stack,

the device comprising:

a head for providing the beam of radiation;

a front-end unit for generating at least one scanning signal for detecting marks in the track and for detecting the pre-formed recording control pattern;

a demodulation unit for retrieving the recording stack type indicator from the scanning signal; and

a control unit for adjusting recording parameters in the device in dependence of the recording stack type indicator retrieved from the scanning signal.

7. (Currently amended) The device as claimed in claim 56, wherein the control unit is arranged for adjusting as recording parameters gain or polarity settings of a radial servo unit.

8. (Currently amended) The device as claimed in claim 56, wherein the control unit is arranged for adjusting, as recording parameters, a write strategy or a power control procedure for

recording data on the second recording layer.

9. (New) The device as claimed in claim 6, wherein the demodulation unit is configured to retrieve the recording stack type indicator that is an indicator of a polarity of a push-pull signal to be used for scanning the track.

10. (New) The device as claimed in claim 6, wherein the demodulation unit is configured to retrieve the recording stack type indicator that is constituted by a pregroove indicating the position of the track, the pregroove exhibiting a wobble constituted by displacements of the pregroove in a direction transverse to the longitudinal direction of the track, and the wobble exhibiting a modulation representing the recording stack type indicator.

11. (New) The device as claimed in claim 6, wherein the demodulation unit is configured to retrieve the recording stack type indicator for the second recording stack of the second type from the first recording stack of the first type.